

***NATIONAL MARINE FISHERIES SERVICE POLICY DIRECTIVE 30-129***

***FEBRUARY 1, 2007***

***Administration and Operations***

***STAKEHOLDER PARTICIPATION IN COUNCIL DEVELOPMENT OF LIMITED ACCESS PRIVILEGE PROGRAMS***

**NOTICE:** This publication is available at: <http://www.nmfs.noaa.gov/op/pds/>

**OPR:** F/SF (K. Denit)

**Certified by:** F/SF (A. Risenhoover)

**Type of Issuance:** Renewed March 2013

***SUMMARY OF REVISIONS:***

*1. Background.* In 2005, the US Government Accountability Office (GAO) examined the involvement of stakeholders in the development of limited access privilege programs (LAPPs) by Fishery Management Councils. The GAO found Council practices are consistent with laws related to stakeholder involvement but concluded that opportunities exist for improvement in the way Councils include and inform stakeholders. The GAO suggested a more targeted or “strategic” approach to communication and recommended that the Councils adopt a set of core principles to guide stakeholder participation.

A full description of the GAO’s methods and findings are available at <http://www.gao.gov/new.items/d06289.pdf>.

*2. Limited Access Privilege Programs.* LAPPs are an important fishery management tool, and NMFS encourages Councils to make wider use of LAPPs. However, the concepts and terminology of LAPPs may be new for many stakeholders. As such, the first step should be the development of an easy to understand overview of market-based fisheries management practices and issues for stakeholders.

*3. Improving Stakeholder Involvement.* The GAO recommends communication procedures or plans that are specific to each Council to help ensure effective stakeholder communication and involvement. According to the GAO, a set of core principles, a general communications policy, and a Council commitment to outreach will allow for increased communication and stakeholder involvement in the development of LAPPs.

*4. Strategies.* Fishery Management Councils already have communication strategies in place that are specific to their regions and the fisheries that they manage. If not current practice, Councils should use these communication strategies or plans to address stakeholder involvement in LAPPs. As part of their process, the Council’s should adopt the core principals on stakeholder involvement to guide their activities.

*5. Core Principles.* The GAO wanted to know what makes for successful public communication and involvement. As such, they asked facilitation and stakeholder engagement experts and found that the identification and use of certain “core principles” are the hallmark of any successful

public deliberative process. At the recommendation of the GAO, NMFS has adopted the following core principles for engagement of the public in the development of LAPPs:

- Use an open and clearly defined decision-making process;
- Make key information readily available and understandable;
- Actively conduct outreach and solicit stakeholder input;
- Involve stakeholders early and throughout the decision-making process;
- Foster responsive, interactive communication between stakeholders and decision makers;
- Use formal and informal participation methods; and
- Include all stakeholder interests.

6. *Statutory Requirements.* This process on stakeholder involvement is not a statutory requirement. However, all regulatory and statutory requirements related to communication procedures and openness by the Council's and NMFS still apply.

7. *Council Coordination.* NMFS will work with the Councils to implement this policy. NMFS will suggest that the subject of stakeholder participation in the development of LAPPs be included on the agenda for discussion at one Council Coordinating Committee meeting each year. This meeting (and other forums, as necessary) may be used to exchange information on this topic and to share and consider documents, methods, and media that support this policy nationally or across several Councils.

Signed William T. Hogarth 18 Jan. 2007  
William T. Hogarth, Ph.D. Date  
Assistant Administrator  
National Marine Fisheries Service